

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 3413 - SB 3736

March 15, 2012

SUMMARY OF BILL: Requires the Board of Medical Examiners and the Board of Osteopathic Examination to promulgate rules, on or before January 1, 2013, requiring training concerning the use of certain opioids in treatment of pain for any physician who prescribes or supervises the prescribing of another health care provider. Prohibits physicians from prescribing any opioids covered by this section unless they have successfully completed the training.

ESTIMATED FISCAL IMPACT:

**Increase State Expenditures – \$4,300/One-Time/Board of Medical Examiners and
Board of Osteopathic Examination
\$55,300/Recurring/Board of Medical Examiners and
Board of Osteopathic Examination**

Assumptions:

- The required rulemaking can be accomplished during regularly scheduled board meetings and can be accommodated within existing budgetary resources.
- According to the Department of Health, there are approximately 21,000 medical doctors and osteopathic physicians with a medical license in Tennessee.
- Each licensee's medical license would be restricted until a licensee provides proof of completion of the required training. The affected boards would require each licensee to be immediately notified of the change in state law and the change in the status of their license from unrestricted to restricted.
- The Department will require one additional administrative position to generate the notice to all licensees affected by the bill, handle hundreds of phone calls, place all licensees on a restricted status until receipt of the required proof of completion of the required training, review the certificates of completion upon receipt, return the licensees to unrestricted status if appropriate, and provide notice of that action to the licensee.
- The recurring increase in state expenditures from available board funds associated with this position will be \$55,281 (\$30,773 salary + \$10,508 benefits and insurance + \$7,900 administrative support services + \$4,100 office lease + \$1,400 communications + \$600 supplies).
- The increase in one-time state expenditures from available board funds will be \$4,300 (\$2,700 office set-up + \$1,600 computer).

HB 3413 - SB 3736

- Funding for the additional expenditures will be shared between the two boards. The affected boards will not increase their fees in order to comply with the self-sufficiency requirement.
- Pursuant to Tenn. Code Ann. § 4-3-1011, all health-related boards are required to be self-supporting over a two-year period. As of June 30, 2011, the Board of Medical Examiners had a cumulative balance of \$1,465,207.30 and the Board of Osteopathic Examination had a cumulative balance of \$227,559.19.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise". The signature is fluid and cursive, with the first name "Lucian" written in a larger, more prominent script than the last name "Geise".

Lucian D. Geise, Executive Director

/bos